

Amendment No. 5 to SB2021

**Beavers
Signature of Sponsor**

AMEND Senate Bill No. 2021

House Bill No. 1661*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 39-17-417, is amended by adding the following as a new subsection:

(n)

(1) A violation of subdivision (a)(1) with respect to any amount of methamphetamine shall be punished by confinement for not less than one hundred eighty (180) days, and the person shall serve at least one hundred percent (100%) of the one hundred eighty (180) day minimum.

(2)

(A) The one hundred eighty (180) day minimum sentence required by subdivision (n)(1) shall not be construed to prohibit a person sentenced pursuant to this subsection (n) from participating in a drug or recovery court that is certified by the department of mental health and substance abuse services.

(B) Any person participating in such a court may receive sentence credit for up to the full one hundred eighty (180) day minimum required by (n)(1).

SECTION 2. Tennessee Code Annotated, Section 39-17-418, is amended by redesignating the current language of subsection (c) as (c)(1) and by adding the following as a new subdivision (c)(2):

(2)

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AMEND Senate Bill No. 2021

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(A) A violation of subsection (a) with respect to any amount of methamphetamine shall be punished by confinement for not less than thirty (30) days, and the person shall serve at least one hundred percent (100%) of the thirty (30) day minimum.

(B)

(i) The thirty (30) day minimum sentence required by subdivision (c)(2)(A) shall not be construed to prohibit a person sentenced pursuant to this subsection (n) from participating in a drug or recovery court that is certified by the department of mental health and substance abuse services.

(ii) Any person participating in such a court may receive sentence credit for up to the full thirty (30) day minimum required by (c)(2)(A).

SECTION 3. This act shall take effect July 1, 2014, the public welfare requiring it.